

Message Text

CONFIDENTIAL

PAGE 01 USUN N 03079 01 OF 02 061524Z

50

ACTION IO-14

INFO OCT-01 EUR-25 EA-11 ISO-00 IOE-00 AF-10 ARA-16 NEA-10

RSC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-10 PA-03 PRS-01 SS-15 USIA-15 A-01 SY-10 USSS-00

SCA-01 JUSE-00 DRC-01 CPR-02 EB-11 /181 W

----- 023056

R 061415Z SEP 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 9260

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY BRUSSELS

AMEMBASSY BONN

USMISSION GENEVA

AMEMBASSY OTTAWA

AMEMBASSY STOCKHOLM

AMEMBASSY COPENHAGEN

AMEMBASSY VIENNA

AMEMBASSY CANBERRA

AMEMBASSY THE HAGUE

AMEMBASSY TOKYO

AMEMBASSY ROME

C O N F I D E N T I A L SECTION 1 OF 2 USUN 3079

E.O. 11652: GDS

TAGS: PFOR, PINS, UN, NL, AS, AU, UK, BE, GW, FR, SW

SUBJ: CONVENTION ON PROTECTION OF DIPLOMATS

REF: USUN 2831; 2539 (NOTAL); 2570 (NOTAL); 2806 (NOTAL)

SUMMARY: INFORMAL GROUP CONVENED BY VAN BRUSSELEN (BELGIUM)

MET SEPT 5 TO CONSIDER DRAFT CONVENTION ON PROTECTION OF
DIPLOMATS. PARTICIPANTS WERE SWEDEN, IRELAND, NETHERLANDS,

ITALY, FRG, AUSTRALIA, CANADA, JAPAN, AUSTRIA, FRANCE,
DENMARK, UK AND US. SINCE MANY REPS HAD NOT RECEIVED NEW

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 03079 01 OF 02 061524Z

INSTRUCTIONS ON TEXT SINCE PREVIOUS MEETING OF GROUP,

DISCUSSION CENTERED PRIMARILY ON TACTICS FOR GA. GENERAL VIEW THAT EMERGED WAS THAT ITEM SHOULD BE GIVEN HIGH PRIORITY, IF POSSIBLE RETAINING SECOND SPOT ON AGENDA OF SIXTH COMMITTEE. GROUP FAVORED EARLY CREATION OF DRAFT COMMITTEE, RECOGNIZING THAT SMALL GROUP DESIRABLE, BUT THOUGHT RIGIDITY ON SIZE OF GROUP UNDESIRABLE. END SUMMARY.

1. AUSTRIA MADE SEVERAL SUGGESTIONS RE TEXT OF DRAFT ARTICLES. RE ARTICLE 1, THEY PROPOSED: (A) SWITCH ORDER OF PARAS 2 AND 3; (B) INSERT WORD "SERIOUS" BEFORE WORD "GROUNDS" IN DEFINITION OF ALLEGED OFFENDER; AND (C) IN DEFINITION OF ALLEGED OFFENDER, INSERT AFTER WORD "COMMITTEE" WORDS "OR HAS ATTEMPTED TO COMMIT." AUSTRIAN REP ALSO STATED DISSATISFACTION WITH CURRENT FORMULATION OF ARTICLE 9. UK REP SAID ADDING ATTEMPTS IN ARTICLE 1(2) NOT NECESSARY BECAUSE ARTICLE 2 DEFINES ATTEMPTS AS COVERED CRIMES.

2. GROUP TURNED TO DISCUSSION OF TACTICS. RE PRIORITY ON AGENDA, US SUGGESTED ORDER OF SIXTH COMITE ITEMS CONTAINED IN PROVISIONAL AGENDA GAVE APPROPRIATE PRIORITY TO PROTECTION OF DIPLOMATS (AS WELL AS SEPARATING IT FROM TERRORISMS ITEM) AND THAT THIS ORDER SHOULD BE ADOPTED BY SIXTH COMITE. BELGIUM AGREED PRIORITY SHOULD BE HIGH - SECOND IF POSSIBLE, AND IN ANY EVENT NO LOWER THAN THIRD. FRANCE SAID IT NECESSARY TO CLARIFY MATTERS RELATING TO CONVENTION BEFORE UNDERTAKING OFFICIAL DISCUSSIONS. NETHERLANDS SUPPORTED BELGIANS ON PRIORITY.

3. GROUP DISCUSSED WHETHER THERE SHOULD BE GENERAL DEBATE OR WHETHER SIXTH COMITE SHOULD IMMEDIATELY TURN TO ARTICLE BY ARTICLE DISCUSSION. US FAVORED LATTER. THIS SEEMED TO GET GENERALLY FAVORABLE REACTIONS.

4. NEXT ISSUE WAS WHETHER DRAFTING COMITE SHOULD BE CREATED AND IF SO, HOW LARGE IT SHOULD BE. US SUGGESTED DESIRABILITY OF EARLY CREATION OF DRAFTING COMITE OF SMALL SIZE, E.G. 15, WITH MANDATE TO REPORT CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 03079 01 OF 02 061524Z

BACK AT EARLY TIME, E.G. WITHIN TWO WEEKS. NETHERLANDS WONDERED WHETHER IT WOULD BE POSSIBLE TO GET DRAFTING GROUP AND SUGGESTED INFORMAL DISCUSSIONS WITH OTHER GROUPS ON THIS MATTER. BELGIANS SUPPORTED DRAFTING GROUP BUT THOUGHT IT WOULD BE IMPOSSIBLE TO GET GROUP SMALLER THAN 25. AUSTRALIA ARGUED WE SHOULD SEEK AGREEMENT IN PRINCIPLE TO FORM DRAFTING GROUP, SUGGESTING SMALLNESS DESIRABLE, BUT NOT HAVING RIGID

POSITION ON SIZE. UK AGREED THAT IT UNNECESSARY AND TACTICALLY UNWISE TO TAKE FIXED POSITION ON SIZE AT THIS TIME. WHILE SMALLER GROUP BETTER, UK SAID ANY DRAFTING GROUP BETTER THAN FULL SIXTH COMITE. UK ARGUED THAT DRAFTING GROUP SHOULD TAKE UP ARTICLES MORE OR LESS SIMULTANEOUSLY WITH COMITE 6 CONSIDERATION AND REPORT BACK PROMPTLY, E.G. IN TWO WEEKS OR AT LEAST NO LATER THAN HALF WAY THROUGH GA SESSION. THIS WOULD ALLOW RELATIVELY EARLY VOTE ON POLISHED TEXTS IN SIXTH COMITE. JAPAN FAVORED DRAFTING GROUP, BUT THOUGHT SIZE AND COMPOSITION UNIMPORTANT, CITING PREVIOUS EXPERIENCE WHERE AFTER INITIAL MEETING OF OPEN-ENDED GROUPS ONLY THOSE INTERESTED ATTENDED. UK AGREED THAT EVEN OPEN-ENDED GROUP BETTER THAN SIXTH COMMITTEE. CANADA FAVORED CREATION OF DRAFTING GROUP BUT DID NOT THINK WE SHOULD BE RIGID ON SIZE. HE NOTED GONZALEZ GALVEZ MAY BE SKILLFUL IN PUTTING GROUP TOGETHER.

5. GROUP EXCHANGED INFORMATION REGARDING POSITION OF OTHER DELEGATIONS. BELGIUM NOTED SOVS HAD NO PROBLEM WITH GIVING PRIORITY TO ITEM, BUT MAY ASK POSTPONEMENT OF ICJ ITEM IN RETURN. CANADIANS NOTED SOVS IN TERRORISM COMITE HAD PROPOSED GA TAKE UP PROTECTION OF DIPLOMATS AS MATTER OF PRIORITY. SMIRNOV (USSR) HAD TOLD WANG (CANADA) SOVS THOUGHT THIS IMPORTANT ITEM. SMIRNOV ENVISAGED TWO STAGES TO SIXTH COMITE CONSIDERATION OF ITEM: (A) FIRST READING; (B) AFTER GOVERNMENTS GIVEN TIME TO DIGEST RESULTS OF FIRST READING AND INSTRUCT DELS, I.E. AFTER BREAK, SIXTH COMITE FINAL CONSIDERATION AND ADOPTION OF CONVENTION. UK SAID SOV REP ON SIXTH COMITE WILL BE KOLESNIK, ASSISTED BY FEDEROV.
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 USUN N 03079 01 OF 02 061524Z

BENNETT

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 USUN N 03079 02 OF 02 061540Z

50

ACTION IO-14

INFO OCT-01 EUR-25 EA-11 ISO-00 IOE-00 AF-10 ARA-16 NEA-10

RSC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-10 PA-03 PRS-01 SS-15 USIA-15 A-01 SY-10 USSS-00

SCA-01 JUSE-00 DRC-01 CPR-02 EB-11 /181 W

----- 023257

R 061415Z SEP 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 9261

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY BRUSSELS

AMEMBASSY BONN

USMISSION GENEVA

AMEMBASSY OTTAWA

AMEMBASSY STOCKHOLM

AMEMBASSY COPENHAGEN

AMEMBASSY VIENNA

AMEMBASSY CANBERRA

AMEMBASSY THE HAGUE

AMEMBASSY TOKYO

AMEMBASSY ROME

C O N F I D E N T I A L SECTION 2 OF 2 USUN 3079

6. CANADA ALSO NOTED HE THOUGHT SOME LATINS MAY HAVE DIFFICULTY WITH ILC DRAFT, NOTING MEXICO FAIRLY RESERVED. HE HOWEVER NOTED IF QUESTION AROSE OF SENDING TEXT BACK TO ILC, SEVERAL LATINS WOULD STRONGLY RESIST.

7. BELGIUM THOUGHT ARABS WOULD NOT BE TERRIBLY ARTICULATE IN OPPOSITION TO ILC DRAFT ARTICLES. CANADA NOTED ARABS HAD NOT OBJECTED IN TERRORISM COMITE TO PARA ASKING GA TO GIVE ADOPTION OF CONVENTION PRIORITY.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 03079 02 OF 02 061540Z

8. GROUP TURNED TO ADVISABILITY OF CONSULTATIONS OUTSIDE PRESENT GROUP. BELGIUM RAISED QUESTION OF BROADENING MEETINGS AND MAKING THEM MORE OFFICIAL. CANADA SUGGESTED EARLY CONSULTATION WITH SOVS. US SAID MEMBERS OF GROUP SHOULD BEGIN NOW TO CONTACT MEMBERS OF OTHER GROUPS TO GATHER VIEWS ON PROCEDURE FOR DEALING WITH ITEM IN SIXTH COMITE. BELGIUM, SUPPORTED BY AUSTRALIA, SAID GROUP AS A WHOLE HAD

NOT REACHED FINAL DECISIONS AND NOT IN POSITION TO APPROACH OTHER GROUPS RE GA PROCEDURE, BUT SAID THAT INDIVIDUAL MEMBERS OF PRESENT GROUP SHOULD BEGIN CONTACTING OTHERS.

9. GROUP RECOGNIZED THAT DECISION ON WHICH AMENDMENTS WERE MOST IMPORTANT AND SHOULD BE TABLED INITIALLY AND WHICH OTHER AMENDMENTS SHOULD BE HELD IN RESERVE FOR DRAFTING GROUP VERY IMPORTANT. HOWEVER, REPS NOT SUFFICIENTLY INSTRUCTED TO MAKE DECISIONS AT THIS TIME.

10. SEPT 17 AND 18 COUNCIL OF EUROPE MEETING IN PARIS WAS MENTIONED, AND VAN BRUSSELEN SAID REPS TO THAT MEETING SHOULD BE INFORMED OF WORK IN PRESENT GROUP SO THEY COULD BUILD ON THIS WORK.

11. NEW MEETING SCHEDULED TENTATIVELY FOR SEPT 27 AT 3:00 PM, WITH TIME AND DATE SUBJECT TO REVIEW EARLY IN WEEK OF SEPT 24 TO MAKE SURE NO CONFLICT WITH SIXTH COMITE MEETINGS. VAN BRUSSELEN THOUGHT THE TIME FOR EXPANDING MEMBERSHIP OF GROUP WOULD COME AFTER SEPT 27 MEETING.

12. AFTER VAN BRUSSELEN GROUP BROKE UP, IDEA RAISED OF INFORMAL MEETING OF COUNTRIES REPRESENTED IN VINCI GROUP AT SIXTH COMITE LEVEL, FOR GENERAL REVIEW OF ALL SIXTH COMITE ITEMS. IT WAS SUGGESTED THAT CANADA (WANG) CONVENE THIS MEETING, PERHAPS ON SEPT 12. REACTION TO SUGGESTION WAS FAVORABLE.
BENNETT

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 06 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: willialc
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973USUNN03079
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS BENNETT
Errors: N/A
Film Number: n/a
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730950/aaaabkre.tel
Line Count: 253
Locator: TEXT ON-LINE
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: USUN 2831; 2539 (NOTAL); 2570 (NOTAL,); 2806 (NOTAL)
Review Action: RELEASED, APPROVED
Review Authority: willialc
Review Comment: n/a
Review Content Flags:
Review Date: 19 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19-Sep-2001 by freemaal>; APPROVED <31-Oct-2001 by willialc>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CONVENTION ON PROTECTION OF DIPLOMATS
TAGS: PFOR, PINS, NL, AS, AU, UK, BE, GE, FR, SW, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005